

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

GARY ARTHUR DEMOTT

PETITIONER

VERSUS

CIVIL ACTION NO. 5:05cv200DCB-JCS

CONSTANCE REESE, Warden FCI-Yazoo

RESPONDENT

**ORDER**

BEFORE the Court is petitioner's request for habeas corpus relief filed pursuant to 28 U.S.C. § 2241. Upon initial review of the petition submitted, it is hereby,

**ORDERED:**

1. That on or before August 31, 2006, the petitioner shall file a written response to this order specifically providing the following information:

- (a) state the name of the court that convicted and sentenced the petitioner;
- (b) state the date when the petitioner was convicted and sentenced;
- (c) state what offense(s) the petitioner was convicted of and the sentence received for petitioner's conviction(s);
- (d) state if the petitioner has filed a notice of appeal concerning his conviction(s);
- (e) if so, state the date the notice of appeal was filed;
- (f) state the date of the decision of the court of appeals;
- (g) state the decision of the court of appeals;
- (h) state if the petitioner has filed a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 or other motion which the sentencing court has construed as a motion pursuant to 28 U.S.C. § 2255;
- (i) if the petitioner has filed such a motion, state the grounds presented in that motion;
- (j) state the decision of that court concerning the § 2255 motion;

- (k) state the date of the decision of that court;
- (l) state if the petitioner appealed the decision of the sentencing court concerning the § 2255 motion;
- (m) state the decision of the court of appeals concerning the appeal of the § 2255 motion;
- (n) state the date of the decision of the court of appeals concerning the appeal of the § 2255 motion;
- (o) state if the petitioner has filed a previous petition for habeas relief pursuant to 28 U.S.C. § 2241 in any federal district court;
- (p) if so, state the grounds presented in the § 2241 petition;
- (q) state the decision of the district court concerning the § 2241 petition;
- (r) state the date of the decision of the court concerning the § 2241 petition;
- (s) state if the petitioner appealed the decision of the district court concerning the § 2241 petition;
- (t) state the decision of the court of appeals concerning the appeal of the § 2241 petition;
- (u) state the date of the decision of the court of appeals concerning the appeal of the § 2241 petition;
- (v) state the grounds on which the petitioner is basing this habeas corpus petition; and
- (w) specifically state if the petitioner is claiming that a motion pursuant to 28 U.S.C. § 2255 is an inadequate or ineffective means of attacking his current confinement and if so, state grounds to support this assertion.

2. That the petitioner is required to file his original response to this order with the Clerk of Court, Western Division, P.O. Box 23552, Jackson, Mississippi 39225. Failure to properly file a response may result in this civil action being dismissed.

**3. That failure to advise this court of a change of address or failure to timely comply with any order of this court will be deemed as a purposeful delay and contumacious act by the**

**petitioner and may result in this cause being dismissed without prejudice and without further notice to the petitioner.**

THIS, the 9th day of August, 2006.

***s/ James C. Sumner***

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UNITED STATES MAGISTRATE JUDGE